

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MICHAEL A. BORONDA,  
Plaintiff,

No. 1:11-cv-03082-CL

v.

SARA MOYE and JOSEPHINE  
COUNTY,  
Defendants.

**ORDER**

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**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, the district court makes a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Here, both parties object to the Report and Recommendation,

so I have reviewed this matter de novo. I agree with Magistrate Judge Clarke that the deduction of \$500.03 did not violate the parties' settlement agreement. Regarding defendants' objection, I see no reason to address attorney's fees at this time. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#25) is adopted. Plaintiff's motion for partial summary judgment (#4) is denied and defendants' motion for partial summary judgment (#11) is granted.

IT IS SO ORDERED.

DATED this 16 day of February, 2012.

A handwritten signature in black ink, reading "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE